

Kenneth L. Neeley, 025899
Christopher J. Dutkiewicz, 024962
Nicholas T. Van Vleet, 026933
Dane Paulsen, 029225
Daniel Taylor, 032094
NEELEY LAW FIRM, PLC
2250 E. Germann Rd., Ste. 11
Chandler, Arizona 85286
Tel: 480.802.4647 | Fax: 480.907.1
ECF@neeleylaw.com
Attorneys for Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA**

In Re:
LACHELLE LACRISH MOORE,
Debtor.

Chapter 13

MOTION TO INCUR DEBT

LaChelle Moore (“Debtor”), hereby moves this court for an order allowing her to finance the purchase of a vehicle pursuant to Local Bankruptcy Rule 2084-25(a).

1. On April 11, 2019, Debtor filed for relief under Chapter 13 of the Bankruptcy Code.
 2. On the petition date, Debtor owed CAG Acceptance, LLC for a 2010 Mazda CX-7 (the “Collateral”).
 3. Debtor filed a Third Amended Plan wherein she will surrender interest in the Collateral because it is no longer reliable transportation.
 4. Debtor would like to purchase a new vehicle due to the fact that the Collateral is not operable.
 5. The purchase of a replacement vehicle is necessary for Debtor’s employment.
 6. Debtor estimates she they will need to borrow no more than \$21,587.04 and that the corresponding monthly payment will be no more than \$299.82 with 15.99% interest.
 7. Debtor is current on plan payments and Debtor is not in default under the terms of the Chapter 13 Plan.

WHEREFORE. Debtor requests that the court enter an Order:

- 1 A. Allowing Debtor to incur debt to finance the purchase of a motor vehicle provided:
- 2 a. The new debt is a single loan to purchase a vehicle and the only security given for
- 3 the new debt will be the vehicle;
- 4 b. The new debt does not exceed \$21,587.04;
- 5 c. The repayment term for the new debt does not exceed 72 months;
- 6 d. The monthly loan payment does not exceed \$299.82;
- 7 e. The new debt will not prejudice the class of general unsecured creditors; and
- 8 B. For other such relief that the Court deems necessary.

9 DATED: August 1, 2019

NEELEY LAW FIRM, PLC

11 _____
12 /s/ *Kenneth L. Neeley*
13 Kenneth L. Neeley
14 Christopher J. Dutkiewicz
15 Nicholas T. Van Vleet
16 Dane Paulsen
17 Daniel Taylor
18 *Attorneys for Debtor*